

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1, 2, 3a and 3b and 8. Figs. 1, 2, 3a and 3b are labeled "Background Art." Fig. 8 is amended to remove the indicia 601 and 602

Attachment: Four (4) Replacement Drawing Sheets

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-2, 4-7, 9, 14, 18 and 22-28 are pending, with claims 1, 2, 5, 9, 18 and 20-21 amended, claims 22-28 added, and claims 3, 8, 10-13, 15-17 and 19 cancelled without prejudice or disclaimer by the present amendment. Claims 1, 5 and 18 are independent.

In the Official Action, the drawings were objected to; claims 3, 5, 8-13 and 16 were rejected under 35 U.S.C. § 112, second paragraph; claims 1-21 were rejected under 35 U.S.C. § 102(e)/102(e) as being anticipated by Tarsa (U.S. Patent No. 6,614,056); claims 1-21 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Tarsa.

Figs 1, 2, 3a and 3b are labeled "Background Art." Fig. 8 is amended to remove indicia. The specification is amended to correct indicia. Claims 1, 2, 5, 9, 18 and 20-21 are amended and claims 22-28 are added to more clearly describe and distinctly claim Applicant's invention. Support for this amendment is found in Applicant's originally filed specification. No new matter is added.

In view of the present amendment, the rejections under 35 U.S.C. § 112, second paragraph, are moot.

Briefly recapitulating, amended claim 1 is directed to

An LED, comprising:

a first nitride gallium layer;

a first electrode provided at one portion of and above the first nitride gallium layer;

an active layer provided above the first nitride gallium layer;

a second nitride gallium layer provided above the active layer; and

first and second transparent electrodes separated from one another and provided above the second nitride gallium layer.

Claim 5 recites, *inter alia*, a plurality of separated transparent electrodes respectively formed on the second nitride gallium layer. Claim 18 recites, *inter alia*, a plurality of transparent electrodes separated from one another and provided above the second nitride gallium layer; and a plurality of connection units, each connection unit connecting a respective one of the plurality of transparent electrodes with the second electrode.

Tarsa describes an LED having a core with epitaxially grown p- and n-type layers, and an epitaxially grown active layer between p- and n-type layers. A first current spreader layer is included adjacent to the LED core. The LED can also include a second spreader layer on the LED core opposite the first spreader layer. It is disposed between the second contact and fingers, and the LED core. The spreader layer is more conductive than the LED core layer adjacent to it thereby allowing current to more freely flow from the contact and fingers, into the second spreader layer and throughout the LED core.

In one embodiment of Tarsa, a current spreading layer 18 (second spreader layer) is deposited on conductive layer 16 to facilitate current spreading across conductive layer 16 and into the active layer 14. The second spreader 18 may also be formed of a transparent or semitransparent conducting material. In another embodiment, second contact 91 is deposited in the center of the second spreader layer 92, with two parts of a conductive branch 93 running in

opposite directions on the second spreader layer, from the contact 91 and down the LED's longitudinal centerline.

However, Tarsa does not disclose or suggest first and second transparent electrodes separated from one another and provided above the second nitride gallium layer, as recited in amended claim 1. In Tarsa, layers 18/92 form a single body and, thus do not include first and second transparent electrodes separated from one another (i.e., not touching each other). Similarly, Tarsa does not disclose or suggest a plurality of separated (i.e., not touching) transparent electrodes respectively formed on the second nitride gallium layer, as recited in amended claim 5. Similarly, Tarsa does not disclose or suggest a plurality of transparent electrodes separated from one another (i.e., not touching each other) and provided above the second nitride gallium layer; and a plurality of connection units, each connection unit connecting a respective one of the plurality of transparent electrodes with the second electrode, as recited in amended claim 18.

MPEP § 2131 notes that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also MPEP § 2131.02. “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Because Tarsa does not disclose or suggest all of the features recited in claims 1, 5 and 18, Tarsa does not anticipate the invention recited in claims 1, 5 and 18, and all claims depending therefrom.

As none of the cited art, individually or in combination, discloses or suggests at least the above-noted features of independent claims 1, 5 and 18, Applicant submits the inventions defined by claims 1, 5 and 18, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.¹

Tarsa does not disclose or suggest first and second transparent electrodes that form parallel stripes, as recited in amended claim 2. Tarsa also does not disclose or suggest the features of new dependent claims 22-28. Thus, for independent reasons, Applicant submits that dependent claims 2 and 22-28 patentably define over Tarsa.

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Respectfully submitted,

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Attachments

¹ MPEP § 2142 "...the prior art reference (or references when combined) must teach or suggest **all** the claim limitations.